Memorandum to Presidents

Date: December 19, 1974
From: Office of the University Counsel
       and Vice Chancellor for Legal Affairs
Subject: Student fines: Opinion of the Attorney General

The Attorney General, in response to a request for guidance from the University, issued an opinion dated November 25, 1974 which concludes "that neither the State University nor local campus councils have the authority to provide monetary fines for the violation of codes of conduct...".

The opinion was widely reported in the press, perhaps with insufficient attention to the specific question posed and the limited scope of the intended answer. In any event, the number of inquiries reaching us from campus administrators suggest the presence of widespread confusion about the opinion and its meaning.

Nothing in the opinion is intended to question the power of the University to maintain order, to discipline, suspend or expel students for misconduct under existing regulations, or to impose authorized sanctions for failure to pay University tuition and fees, including parking fees and fines. The authority and validity of the recently published Memorandum to Presidents (Vol. 74, No. 39) issued by the Vice Chancellor for Finance and Business regarding "Policy on Fees, Charges, and Deposits" is unaffected and unimpaired.

Walter J. Relihan, Jr.

This memorandum addressed to: Presidents, State-operated campuses
This memorandum for information only to:
    Presidents, Community Colleges
    Deans, Statutory Colleges
    Chancellor Kibbee
    Dean McGrath
    President Rose
    President Corson
    Mr. Tobin